

## **REMARKS**

### **A. Allowance of Claims 1-32, 35- 37**

During a telephone call with Applicants' attorney, the Examiner indicated that claims 1-32 and 35-37 were allowable. The Examiner stated that a follow-up paper will be sent to the Applicants affirming the allowance of these claims.

### **B. Rejection of Claims 33 and 34 under 35 USC § 103(a)**

The Examiner rejected claims 33 and 34 under 35 USC 103(a) based on "Minard's graph" as described at page 2 of the Examiner's Detailed Action. The Examiner indicated that he was not able to find an actual reference to send to the Applicants, so this reply is based upon the Examiner's comments defining Minard's graph as included in the Detailed Action. According to the Examiner, Charles Minard's graph (created in 1869) shows "the strength of the Grande Army as it marched to Moscow and back". With respect to Applicants' claimed invention, the Examiner stated that Minard teaches the claimed "method of displaying graphics", with symbols "grouped into pairs" (referencing cities in Russia), with "lines" between the pairs and a variation in thickness indicated by the Examiner as shown on Minard as "the thickness of the lines varies according to the number of soldiers marched on". The Applicants disagree and traverse these rejections

In response, Applicants assert that the type of display created by Minard is not the claimed "method of displaying graphics" as in claims 33 and 34. None of the features set forth in claim 33 (i.e., pairs of symbols, predetermined relationship, real-time change, dynamic illustration, etc.) is disclosed or suggested by Minard.

For example, claim 33 includes the feature of "symbols grouped into pairs of symbols based on a predetermined relationship between the symbols". There is no "pairs of symbols" shown in Minard's graph and, therefore, no "predetermined relationship" between such pairs of symbols. The Examiner refers to "cities of Russia as nodes on the display", but the language "nodes on the display" is not found in claim 33. Claim 33 defines grouped "pairs of symbols" – Minard does not describe such an arrangement.

Further, Minard does not disclose or suggest displaying a “line” between “pairs of symbols”. As with any type of graph, there is a “line” plotted on the graph of Minard, in this case depicting the number of soldiers in the army at various cities within Russia. However, this “line” does not “represent the predetermined relationship between those (i.e., “pair”) symbols”.

Moreover, Minard does not – and cannot – “vary” the attributes of the line (i.e., change its thickness) as the relationship between a pair of symbols is varied. Any type of plot, including a graph drawn in 1869, illustrates only a specific set of data. As the data changes, a new graph needs to be drawn. In contrast, the present invention is associated with a “method of displaying graphics” which depicts a *real-time* change in relationship between symbols. Minard does not disclose such a dynamic arrangement.

There is no “real time” aspect to Minard’s graph; the change in thickness along Minard’s graph is simply a change in the number of soldiers from city to city, there is no showing of a change in army “strength” between a designated “pair” of cities, nor could there be.

Accordingly, the Applicants submit that claims 33 and 34 are not obvious based on Minard. Applicants request withdrawal of the rejections and allowance of claims 33 and 34.

**C. Rejection of Claim 38 under 35 USC § 102(a), 103(a)**

Claim 38 was rejected under 35 USC 102(a), or in the alternative, 103(a), as anticipated/obvious over US Patent 4,812,996 to Stubbs (hereinafter “Stubbs”).

Claim 38 includes the feature of “dynamically updating [a] display so that only those of said symbols representing data values meeting the data criteria currently established” are shown on the display. In contrast, Stubbs appears to disclose a system for defining the “horizontal” and “vertical” settings of an instrumentation display. There is no “dynamic” changing of these settings as a function of “criteria” associated with the data being displayed, as set forth in claim 38.

Accordingly, Applicants request withdrawal of the rejection and allowance of claim 38.

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Should there be any outstanding matters that need to be resolved in the present application the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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